

THIS INSTRUMENT PREPARED BY:
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Five Riverchase Ridge, Suite 100
Birmingham, Alabama 35244-2893

SUBORDINATION AGREEMENT

STATE OF ALABAMA
COUNTY OF SHELBY

This Subordination Agreement, made and entered into on this the 13 day of JANUARY, 2003, by and between COMPASS BANK, as Party of the First Part, and SOUTHEASTERN MORTGAGE OF ALABAMA, LLC, as Party of the Second Part.

WITNESSETH

THAT, WHEREAS, PATSY A. TYLER, has an outstanding loan in favor of COMPASS BANK, as set forth in INSTRUMENT #2003-1265, in the Office of the Judge of Probate of SHELBY County, Alabama on that certain real estate located at 4008 GUILFORD ROAD BIRMINGHAM, AL 35242 to secure an indebtedness of \$25,000.00 and said lien is in full force and effect; and,

WHEREAS, PATSY A. TYLER, has made an application to the Party of the Second Part for a loan in the sum of \$166,700.00 and said Party of the Second Part is willing to make said loan to the said PATSY A. TYLER, provided it furnish the party of the Second Part with a mortgage on the lands described in the aforesaid lien, and the said COMPASS BANK, subordinate the above described lien and make the same second and subservient to the mortgage of SOUTHEASTERN MORTGAGE OF ALABAMA, LLC; and,

WHEREAS, the said Party of the First Part is willing to subordinate its said lien and make it second and subservient to the mortgage of the said Part of the Second Part as an inducement to it to make said loan.

NOW, THEREFORE, in consideration of the premises, the said Party of the First Part does hereby agree that the lien of PATSY A. TYLER, to COMPASS BANK, recorded in the Probate Office of SHELBY County, Alabama in INSTRUMENT #2003-1265, shall be second and subservient to the mortgage of PATSY A. TYLER to SOUTHEASTERN MORTGAGE OF ALABAMA, LLC, and recorded in the Probate Office of SHELBY County, Alabama, in INSTRUMENT #_____, to secure the sum of \$166,700.00, plus interest, on the land described therein, and the said lien of the said COMPASS BANK, shall be subordinate to the mortgage of SOUTHEASTERN MORTGAGE OF ALABAMA, LLC.

IT IS FURTHER agreed that should PATSY A. TYLER, default in his/her/their payments under the terms of the real estate mortgage to SOUTHEASTERN MORTGAGE OF ALABAMA, LLC,, the said SOUTHEASTERN MORTGAGE OF ALABAMA, LLC, agrees to notify COMPASS BANK of said default prior to taking legal action.

IN WITNESS WHEREOF, JA Woods, as AVP of said COMPASS BANK has caused her/his name to be hereunto signed on this the 13th day of JANUARY, 2003.

COMPASS BANK

20030129000054180 Pg 2/2 14.00
Shelby Cnty Judge of Probate, AL
01/29/2003 12:20:00 FILED/CERTIFIED

BY: [Signature]

As Its: [Signature]

STATE OF ALABAMA

COUNTY OF Jefferson

I, the undersigned, a Notary Public in and for said State and County, hereby certify that JA Woods, whose name as AVP of COMPASS BANK, is signed to the foregoing subordination agreement, and who is known to me, acknowledged before me on this day, that, being informed of the contents of this subordination agreement and with full authority as such officer, executed the same voluntarily.

Given under my hand and seal this 13th day of JANUARY, 2003.

[Signature: Nora L. Capps]
Notary Public

My commission expires: 5/10/06